

Chapter 66

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***Cross references-** Discharge of refuse into harbor waters, § 14-194; marine toilet and sewer discharge Prohibited, § 14-195; buildings and building regulations, ch. 18.

State law reference- Refuse disposal, G.L. 1956, § 23-18.9-1 et seq.

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ARTICLE I. IN GENERAL

Sec. 66-~~51~~I. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

[Bulk item means an item of solid waste larger than two feet by two feet by two feet or heavier than 75 pounds. Doors and enclosures related to such items must be removed.]

Bulky waste shall mean all furniture, box springs, mattresses, car tires (not exceeding four (4) per household per year), and other bulky material (excluding white goods and metal items) with weights greater than 40 pounds or greater than two (2) feet by two (2) feet by two (2) feet.

Construction debris shall mean all waste building materials, resulting from construction, remodeling, repair or demolition operations.

Curbside shall mean the edge of the pavement or traveled surface of the public street or other area designated as the collection point by the Director of Public Works.

Director of Public Works shall mean the duly-appointed Director of Public Works for the Town of Tiverton or his / her authorized representative or designee.

[Hazardous waste means any waste defined in the Rhode Island Hazardous Waste Management Act, G.L. 1956, 23-19.1-4, or in regulations adopted pursuant thereto.]

Hazardous waste shall mean waste or materials in any amount, which are defined, characterized or designated as hazardous by or pursuant to Federal or State law or waste or materials in any amount, which are so regulated under Federal or State law. For purposes of this Town Ordinance, the term "Hazardous Waste" shall also include pathological or biological waste, chemicals or compounds which are explosive, flammable, radioactive or toxic, motor oil, gasoline, oil base paint, automobile batteries, asbestos, and ammunition.

Household hazardous waste [means hazardous noncommercial waste generated by residents of the town that is explosive, highly flammable, corrosive or toxic.] shall mean noncommercial hazardous waste that is generated by residents of the Town.

[Mixed recyclable means recyclable materials which are required to be removed from the municipal solid waste at the source and placed in or on top approved containers for transport to the nearest materials recovery facility (MRF) for recycling.]

Multifamily housing unit shall mean a complex of four or more residential units on a jointly owned lot.

Offal shall mean waste parts or leavings, especially of a butchered animal.

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[Recyclable materials means materials separated from municipal solid waste for reuse as specified by the director of the state department of environmental management and including, but not limited to, plastic milk and beverage containers, newspapers, glass and metal and such other materials as may be listed by the town director of public works and the town recycling coordinator and added tot his article by amendment passed by the council from time to time.]

Recyclable materials and recyclables shall mean materials which the Town and Rhode Island Resource Recovery Corporation have designated or may designate as having potential for recycling. These include mail, magazines, catalogs, phone books, paper books, writing paper, corrugated cardboard, paperboard, newspapers, glass bottles and jars (clear, green and brown), #1 and #2 plastic containers, tin/steel and aluminum cans, foil and pie plates, empty aerosol cans, empty latex paint cans all of which shall be separated from other mixed waste by the occupants of eligible residential and municipal units and placed at curbside in an approved "set out" (green for paper items and blue for other items).

Recycling Coordinator shall mean the duly-appointed Recycling Coordinator for the Town of Tiverton or his / her authorized representative or designee.

Recycling container (set out) shall mean durable recycling containers of approximately sixteen (16) gallon capacity green and twenty two (22) gallon capacity blue into which recyclable materials are separated for collection at curbside or other such containers approved by the Town.

Resident means any person whose residence is within the corporate limits of the town. [This shall include all person, corporations, business entities, churches, nonprofit institutions and any person or entity not specifically exempted for this article.]

Residential dwelling unit shall be the unit(s) as shown on the Tax Assessor's records.

[*Residential solid waste* means solid waste generated by the residents of the town in the course of their daily living, the disposal of which the council has undertaken in the discharge of its duties to protect the health of the town. Residential solid waste does not include solid waste generated by residents of a municipality in the course of their employment or that generated by any manufacturing or commercial enterprise in the town.]

Septage means any matter obtained from a cesspool or septic tank.

Solid waste means [garbage, refuse and other discarded solid materials] *trash, recyclables, yard waste, bulky waste, and white goods* generated by residential, institutional, commercial, industrial, and agricultural sources, but not including solids or dissolved material in domestic sewage or sludge, nor hazardous waste as defined *herein or* in the Hazardous Waste Management Act, G.L. 1956, § 23-19.1-1 et seq.

Solid waste program may include pickup, transportation, disposal and all related activities for trash, recyclables, yard waste, bulky waste, white goods, electronics and “Eco Depot”.

Swill shall mean a mixture of liquid and solid food, such as table scraps, fed to animals, especially pigs.

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The Town shall mean the Town of Tiverton, a Rhode Island Municipality and shall include all streets and ways and all buildings and improvements within the municipal boundaries of the Town.

Town Administrator shall mean the duly-appointed Town Administrator for the Town of Tiverton or his / her authorized representative or designee.

Town Council shall mean the duly-elected members

Transport and transportation shall mean the carrying of acceptable wastes and recyclables in an approved and lawful vehicle, operated by a duly licensed driver, from the point of collection or pickup to a designated disposal site and to unload such wastes at said site.

Trash shall mean all residential refuse generated on a weekly basis by a normal household. These materials may include garbage, rubbish, wastepaper, and small amounts of construction debris from non-commercial sources.

Source separation means the removal by the generator of the recyclable materials, including mixed recyclables from all other solid waste generated by the household, and conveyance of the recyclables to the curbside or other location designated by the town or its agents.

[*Transfer station* means a site or facility operated by or for the town whose purpose is the temporary storage of resident generated recyclable material prior to its transport to a resource recovery facility.]

White goods mean major kitchen or laundry appliances including, but not limited to, stoves, washers, refrigerators and dryers. *It shall also include other household metal items such as chairs, tables, grills, and lawnmowers (drained of all fluids).* Nothing in this definition shall waive compliance with the rules and regulations for the generation, transportation, storage and disposal of hazardous waste.
(Code 1967, § 12-16)

Yard waste shall mean leaves, Christmas trees, garden waste, grass or other clippings, weeds, brush and other materials customarily incidental to yard and garden maintenance, and branches not exceeding three inches (3”) in diameter by four feet (4’) in length, to be tied in bundles not to exceed forty (40) pounds.

Cross reference- Definitions generally, § 1-2.

Sec. 66-[52]2. Enforcement of article.

It shall be the duty of the town police to cite violations of the provisions of this article.
(Code 1967, § 12-32)

Sec. 66-[53]3. Penalty for violation of article.

(a) Any person [violating] *in violation of and/or failing to meet* any of the provisions of this article, or any of the rules and regulations promulgated by the *town* council, shall be [punished in accordance with section 1-7] *subject to the following penalties*. Enforcement shall be rendered by the chief of police *or his/her designee* [under] *or upon* the recommendation of the director of public works.

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[(b) Failure to properly separate or dispose of recyclables shall be subject to the following penalties:]

- (1) First offense, written notice of *the* violation *from the chief of police or his/her designee calling for immediate correction of the violation*.
- (2) Second offense, written notice of *the* second violation *from the chief of police or his/her designee calling for immediate correction of the violation, and a maximum fine of fifty dollars (\$50)*.
- (3) Third offense, written notice of third violation *from the chief of police or his/her designee calling for immediate correction of the violation*, and a maximum fine of *one hundred dollars (\$100)* [*\$25.00 and/or maximum imprisonment of three days*].
- (4) Fourth and subsequent offense, written notice of the fourth or subsequent [offense] *violation from the chief of police or his/her designee calling for immediate correction of the violation*, and a maximum fine of *five hundred dollars (\$500)* [*\$50.00 and/or maximum imprisonment of six days*].

(Code 1967, § 12-45)

Secs. 66-[1]4 – 66-25. Reserved.

ARTICLE II. SWILL, *TRASH*, AND OFFAL

Sec. 66-26. Bringing into town.

No person shall carry or bring any house offal *or trash* or swill into the town, or permit swill or offal *or trash* carried or brought unlawfully into the town to be fed to swine on his premises in the town or to be deposited on or spread upon his land in the town.

(Code 1967, § 12-3)

Sec. 66-27. Conveyances.

(a) *Approval and license required*. No person shall carry any house offal *or trash* or swill within the town except in a conveyance approved and licensed by the council for the carrying of house offal *or trash* or swill.

(b) *Issuance of license*. Whenever the council shall approve of any conveyance as suitable for the carrying of house offal *or trash* or swill within the town, it shall, upon application therefore by the owner of such vehicle, issue a license, duly numbered, stating therein that the conveyance is approved and licensed by the council for the carrying of house offal *or trash* and swill.

(c) *Marking with license number*. Every conveyance approved and licensed under the provisions of this article shall be plainly marked with the number of the license issued to it by the council.

(Code 1967, § 12-4-12-6)

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Sec. 66-28. Construction of article.

Nothing contained in this article shall be construed to prevent the carrying of swill or house offal *or trash* through the town to any other town; provided, however, that it is carried through the town to any other town in such vehicle or conveyance and under such conditions and at such times as the council shall approve and prescribe.
(Code 1967, § 12-7)

Sec. 66-29 – 66-[50]53. Reserved.

**ARTICLE III. COLLECTION AND DISPOSAL, RECYCLING, AND LANDFILL
REGULATIONS**

DIVISION 1. GENERALLY

Sec. 66-54. Duty of owners and tenants to keep property free from waste.

All owners or tenants of real estate in the town shall keep such real estate free from accumulation of any form of waste *and litter* that, because of its nature, condition or improper storage, may invite the breeding or collection of flies, mosquitoes or rodents, or that may in any other manner be [prejudicial] *detrimental* to the public health.
(Code 1967, § 12-17)

Sec. 66-55. Dumping on private and public property.

No waste shall be dumped or left upon any private property, upon any road or highways or property of the town, other than the town landfill.
(Code 1967, § 12-18)

Sec. 66-56. [Bulk items.] *Bulky waste, white goods and construction debris pickup.*

One (1) bulky waste item (excluding white goods) per residential unit may be placed at curbside each week for collection with the regular trash.

[Bulk items] *White goods and metal items* shall be collected by the department of public works at least once [a year] *per month*. [Such collection shall be prominently advertised. At other times, at the discretion of the council after consultation with the director of public works, white goods and other large items such as plumbing fixtures, water tanks, living room and bedroom furniture may be picked up by the town for the currently required fee.] *A maximum of three (3) items per household per month may be disposed by scheduling a collection with the department of public works. It shall be a violation of this ordinance to place any item for collection, which is not generated from the household point of collection. Items shall not be placed at curbside prior to Noon on the day preceding the scheduled collection and the Town shall not be responsible for collection of items placed at curbside later than 6 AM on the scheduled collection day.*

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One bag of construction debris (of a capacity not to exceed 30 gallons and 40 pounds when loaded) may be placed at curbside each week for collection with the regular trash.

The town council, after consultation with the director of public works, may institute a fee system for the collection and disposal of bulky waste and/or white goods.

(Code 1967, § 12-35)

Sec. 66-57. Containers.

All non recyclable materials must be *appropriately bagged and* contained in individual plastic or metal containers with covers or secured plastic trash bags *of sufficient strength to retain their contents*, or appropriately bundled, each of a capacity not to exceed 30 gallons and 40 pounds when loaded. The above shall be deposited at the curbside for collection *but not prior to Noon on the day preceding the scheduled collection and the Town shall not be responsible for collection of items placed at curbside later than 6 AM on the scheduled collection day. It shall be the responsibility of each resident to secure their trash and to prevent solid waste from becoming litter. When a common collection area is designated, each user of the area shall be individually responsible to comply with the provisions of this section.*

(Code 1967, § 12-37)

Sec. 66-58. Separation of [solid waste] *recyclables from trash* by residents.

All residents shall separate recyclables from the [non recyclable portion of their solid waste] *trash, yard waste, bulky waste and white goods* and *shall* prepare [them for recycling] *the recyclables* according to directions published by the town. [The town's solid waste haulers shall pick up the two different categories so that the recyclable materials are taken to proper drop sites for sale, processing or composting according to the requirement of the specific materials and so that non recyclable materials are disposed of properly.] *Recycling containers shall be placed on and removed from the curbside of the roadway. All recycling materials shall be packaged in a manner to prevent the scattering of the materials and individual containers shall not exceed forty (40) pounds in weight. Recyclables shall not be placed in plastic bags for collection or disposal. Separation of recyclables from other materials disposed as part of the solid waste program shall be mandatory whether disposal is at curbside or at the landfill.*

(Code 1967, § 12-43)

Sec. 66-59. Collection *and ownership of materials.*

No person engaged in the business of separation, recovery, collection, removal, storage, or disposition of [garbage, rubbish or other refuse] *trash, recyclables, yard waste, bulky waste, or white goods* within the town shall pick up or procure any recyclable materials, except as specifically authorized *in writing* by the director of public works. This restriction shall include independent citizen, resident, taxpayer, or person who might engage in such practices for personal gain. *Any materials left curbside for collection by the Town or its contractors as part of the solid waste program shall become property of the Town. It shall be a violation of this Town Ordinance for any person other than the property owner, authorized employees or agents on behalf of the Town acting in the course of employment, or a properly licensed solid waste hauling company acting under contract, to collect or pick-up or cause to be collected or picked-up any solid waste program material within the Town.*

(Code 1967, § 12-47)

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§66-62

Sec. 66-60. [Regulations governing use of transfer station.

The director of public works is hereby authorized and directed to prepare and publish, subject to council approval, regulations governing use of a town transfer station, including eligibility, for use and the types of waste which will be accepted at the facility and what recycling facilities will be made available to residents of the town.

(Code 1967, § 12-50)]

Commercial, industrial, and multifamily properties.

Commercial and industrial properties shall be responsible for the collection and disposal of all materials included in the solid waste program, which are generated at their respective locations. Commercial and industrial solid waste is prohibited from the Town curbside collection program and from disposal at the landfill.

The Town shall provide curbside collection services to any multifamily housing units that comply with Sec. 66-57. regarding containers and where the curbside or common collection area is accessible as determined by the Director of Public Works. Individual residents of multifamily housing units shall be eligible to use the landfill as described in Sec. 66-81(a).

Solid waste that is collected from any residential unit or any multifamily housing units by commercial vehicles shall be prohibited from disposal at the landfill. Solid waste that is collected by the town contracted company as part of the town's solid waste program shall be exempted from the commercial solid waste disposal prohibition at the landfill.

Mixed use properties shall be shall be classified residential or commercial or industrial by the primary use of the building on the first floor.

Solid waste that is generated from home offices shall be considered minimal in nature and shall be considered as residential solid waste for the purposes of the solid waste program.

Sec. 66-61. Obstructions, hazards, or nuisances.

No person having custody or control of residential, industrial or [business] **commercial** premises from which solid waste [, including recyclables,] is collected [for disposal by the town,] shall permit or cause any solid waste [, including recyclables,] within his control to become a hazard to public travel, health or safety or to become a nuisance of any sort. (Code 1967, § 12-46)

Sec. 66-62. Street side pickup of brush, grass clippings and leaves.

[Brush and similar waste must be cut to lengths of less than three feet and compactly tied in bundles with a maximum diameter of 12 inches. Leaves and grass clippings shall be placed in containers similar to those acceptable for household waste.]

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§66-76

Yard waste materials shall be packaged in a manner to prevent the scattering of the materials; an individual container/bag shall not exceed forty (40) pounds in weight; yard waste materials may be disposed with the trash. Brush not exceeding three (3) inches in diameter and four (4) feet in length may be disposed as yard waste with the trash. Brush must be tied securely in bundles not exceeding forty (40) pounds per bundle for pickup at curbside. Christmas trees may be disposed as a whole only during an annual scheduled pickup.

The town council, after consultation with the director of public works, may institute a yard waste collection and disposal program. Said program may include mandatory separation of yard waste from trash. (Code 1967, § 12-23)

Sec. 66-63. Household hazardous waste.

[The director of public works in cooperation with the department of environmental management and with other state and federal regulatory authorities will implement a plan to periodically collect hazardous substance, recyclable or not and prominently publish information on the procedures for safe and ecologically sound disposal of these substances. Certain substances such as toxic chemicals, dead animals, demolition debris, excrement, surgical medical waste, explosives, and other similar dangerous wastes that are liable to do injury to persons or property are not acceptable for municipal collection. Such items shall be disposed of in accordance with the terms of G.L. 1956,*23-19-1 et seq.] *The Town may, on an annual basis or from time to time, coordinate with Rhode Island Resource Recovery Corporation (RIRRC) in conducting an "Eco Depot". Fees may be charged for certain items collected at the "Eco Depot".* (Code 1967, § 12-41)

Sec. 66-64. Vehicles leaking, dropping, etc., loads.

No person shall drive or move a vehicle on any way, street or highway within the town nor shall the owner or bailee of any vehicle require or permit the same to be moved or driven on any such way, street or highway unless such vehicle is constructed or loaded so as to prevent any of its load from dropping, sifting, leaking or otherwise escaping there from and unless its load is fully and adequately covered in such a manner as to prevent the escape of any such load from the vehicle.

Sec. 66-65 – 66-75. Reserved.

DIVISION 2. LANDFILL REGULATIONS

Sec. 66-76. Landfill; designation and management.

The council [shall] *may* designate an area in town as a town landfill [and/or transfer station]. These sites shall be managed by the director of public works or his agent.
(Code 1967, § 12-19)

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§66-79

Sec. 66-77. Transportation expenses; separation of waste; disposal.

(a) All *residential* solid waste [shall be] *that is* transported to the town landfill, [after removal of] *shall have* recyclables *removed* either by the town-contracted solid waste collector at town expense, or at the expense of the owner and/or his contracted agents.

(b) All recyclable materials shall be separated from the solid waste in accordance with the provisions of division 3 of this article. Collection and disposal shall also be in accordance with division 3 or this article.

(c) Solid waste brought to the land fill by residents shall be separated and deposited in the appropriate areas as directed by the landfill personnel. Yard waste, white goods, and other allowable metal items shall be separated from the trash and bulky waste and deposited in the designated areas.

(Code 1967, § 12-20)

Sec. 66-78. Burning waste; depositing hot ashes.

Hot ashes or burning waste shall not be set out for collection or deposited in the landfill.
(Code 1967, § 12-21)

Cross reference- Open burning, § 42-31 et seq.

Sec. 66-79. Depositing of automobile bodies; refrigerators, freezers and other large appliances with latched doors; other items.

(a) [Automobile bodies] *Auto hulks, engine blocks, transmission cases, heavy machinery, skimobiles motorcycles, tractors, boats, campers and similar large items* shall not be deposited at the landfill. Refrigerators, freezers or other large appliances with latched doors that could trap an individual inside shall not be deposited unless the doors are removed.

(b) Gasoline, fuel and other tanks that have been used for the storage of explosive or combustible material shall not be deposited at the landfill unless *drained of their contents and* cut into at least two separate sections. *Propane tanks shall not be deposited at the landfill.*

(c) Rocks larger than 12 inches in diameter, tree limbs of greater than [three] *four* feet in length and stumps of trees shall not be deposited at the landfill without the written consent of the director of public works or his agent.

(d) Vehicle batteries containing liquid acid will be deposited separately at a designated area, and the number accepted shall be subject to the discretion of the landfill supervisor.

(e) The number and size of vehicle tires accepted will be at the discretion of the landfill supervisor, but no more than four tires per year will be accepted from any individual.

(f) Bulky waste shall be deposited with the trash.

(g) Trash shall be deposited in the designated area only.

(h) No liquid or hazardous waste shall be deposited at the landfill.

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§66-81

(i) No construction demolition material may be deposited at the landfill except for the small amounts that may be contained in the residential trash as collected by the Town's contractor.

(Code 1967, § 12-22)

Cross references – Junked, abandoned and inoperable vehicles, § 38-26 et seq.; traffic and vehicles, ch. 78.

Sec. 66-80. Covering of waste during transportation required.

All waste while being transported to the landfill shall be covered or contained so as to prevent it from being blown or dropped from the vehicle in which it is transported.

(Code 1967, § 12-24)

Sec. 66-81. Fee schedule; landfill stickers.

(a) Residents of the town shall be eligible to receive one type 1 colored sticker for nonbusiness vehicles. The stickers will be issued and payments, *as authorized by the Town Council, will be* collected by the director of public works or his designated agents. This sticker will be affixed to the front lower corner of the driver's side window. Residents, upon receiving a type 1 colored sticker for a nonbusiness vehicle, shall be eligible to use the town landfill [or transfer station] for disposal of residential solid waste. Owners of property who transport residential solid waste from that property to the landfill will not be charged a fee, notwithstanding the type of vehicle used for the transport.

(b) All commercial vehicles used for business purposes within the town [may use the town landfill but must show proof that the trash they are hauling is generated within the town, obtain a permit and pay the required fee. The schedule of fees is on file and available in the town offices.] *shall be prohibited from using the landfill. Solid waste that is collected by the town contracted company as part of the town's solid waste program shall be exempted from the commercial solid waste disposal prohibition at the landfill.*

(c) No vehicle will be allowed to dump anything at the town landfill without a landfill sticker or permit.

(d) No more than four tires [can] *annually may* be deposited by any individual at [one time] *the landfill.*

[e] The landfill attendant may require any vehicle presenting itself at the town landfill to be weighed at a facility designated by the council. If the weight of the vehicle exceeds the stated carrying capacity of maximum gross weight for that vehicle, the landfill attendant shall collect an additional fee amounting to 100 percent of the original permit fee prior to the vehicle dumping in the landfill.]

[(f)] (e) The town council, after consultation with the director of public works, may institute a fee system for disposal of any and all items at the landfill. The town council, by resolution, shall be empowered to waive the fees in the event of the hurricane, tornado, storm, or other natural disaster.

(Code 1967, § 12-25)

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§66-101

Sec. 66-82. Defacing, destruction or removal of signs.

No person shall deface, destroy or remove any signs posted at the landfill.

(Code 1967, § 12-26)

Sec. 66-82. Removal of waste.

No person shall remove any waste deposited at the landfill without permission from the director of public works or landfill supervisor.

(Code 1967, § 12-27)

Sec. 66-84. Waste to be generated from within town.

Solid waste deposited in the town landfill must be generated within the town. Any person who deposits waste materials generated outside the town limits shall be denied permission to use the town landfill for a period not to exceed three years ***and shall be subject to the penalties for violation of this article.***

(Code 1967, § 12-28)

Sec. 66-85. Hours; rules and regulations.

The ***town*** council shall designate the hours during which the town landfill shall be open [, the hours during which commercial collectors of waste may dispose of the collected waste at the landfill,] and shall make such other rules and regulations as it may from time to time deem necessary for the proper management and control of the landfill. No person shall deposit any material at the town landfill in violation of such rules and regulations. ***Commercial and industrial solid waste shall be prohibited from the landfill.***

(Code 1967, § 12-29)

Secs. 66-86 – 66-100. Reserved.

DIVISION 3. RECYCLING

Sec. 66-101. Adoption of rules and regulations.

The council may, from time to time, adopt policies, rules and regulations in furtherance of the town recycling program and may adopt such policies and procedures as required by [the state department of environmental management] ***Rhode Island Resource Recovery Corporation (RIRRC)*** in order to comply with the [RIDEM] ***RIRRC*** regulations for the reduction and recycling [commercial and nonmunicipal] ***of*** residential solid waste.

(Code 1967, § 12-30)

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§66-103

Sec. 66-102. Recycling coordinator / *recycling committee*.

The *town* council shall appoint an individual *or recycling committee*, either part-time or full-time, to provide recycling education for residents and school children and to coordinate the recycling program with the department of public works, private trash haulers and recycling centers in the manner consistent with state and federal regulation. The recycling coordinator will report to the director of public works. *The recycling committee will report to the town administrator.*
(Code 1967, § 12-31)

Sec. 66-103. Curbside collection; mixed recyclable.

(a) The town shall schedule collection of recyclables. Materials shall be placed at the curbside, or other locations approved by the department of public works and/or the recycling coordinator. The department of public works shall prominently publish the initial schedule of collection and shall publish revised schedules or procedural guidelines whenever there is a change in either materials to be collected, collection procedures or schedules. *[The following mixed recyclables shall be placed in the containers provided:*

- (1) Glass food and beverage containers;
- (2) Aluminum products;
- (3) Tin-coated steel cans;
- (4) Plastic mild containers; and
- (5) Plastic soft drink containers.]

Mixed recyclables of bottles, cans, and plastics shall be placed in the blue recycling bin and mixed papers shall be placed in the green recycling bin for curbside collection. Acceptable recyclable materials shall be listed in the directions issued by the director of public works and/or the recycling coordinator.

[In addition to these mixed recyclables, newspapers shall be placed in close proximity to the containers in bundles less than 12 inches high and tied or placed in brown paper bags.]

(b)*[Prior to placing the mixed recyclables in the containers, glass food and beverage containers shall be rinsed and lids removed. No broken glass shall be placed in the containers. Aluminum and tin cans shall be rinsed. Aluminum furniture shall have the webbing removed and glass shall be removed from aluminum windows. Plastic mild and soft drink containers shall be rinsed and caps removed.] Recyclables shall be prepared in accordance with directions issued by the director of public works and/or the recycling coordinator. Recyclables shall be placed at curbside no earlier than Noon on the day preceding the scheduled collection day and the Town shall not be responsible for collection of items placed at curbside later than 6 AM on the scheduled collection day. It shall be the responsibility of each resident to secure their recyclables and to prevent solid waste from becoming litter. When a common collection area is designated, each user of the area shall be individually responsible to comply with the provisions of this section.*

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(c) The list of recyclable materials may be changed from time to time, depending upon new technologies, economic conditions, waste stream characteristics, environmental effects, the requirements of *[the state]* *RIRRC*, or other factors.
(Code 1967, § 12-33)

Sec. 66-104. Other recyclables; separate schedule.

The department of public works shall set up and prominently publish its schedule for the collection of other recyclable materials that are not picked up under weekly curbside collection. [, such as the periodic pickup of leaves.] (Code 1967, § 12-34)

Sec. 66-105. *Recycling* Containers; replacement.

Recyclable materials shall be deposited at the curb in special recycling containers provided by the town to the residents. These containers shall initially be provided free of charge. A fee specified by the director of public works [will] *may* be charged for replacement containers. If there is an overflow, recyclables shall be placed in containers stacked close to the special recycling container clearly indicating its similar nature, and to distinguish it from non recyclable materials. Materials shall be prepared for recycling according to directions issued by the director of public works and/or the recycling coordinator. *Recyclables shall be placed at curbside no earlier than Noon on the day preceding the scheduled collection day and the Town shall not be responsible for collection of items placed at curbside later than 6 AM on the scheduled collection day. It shall be the responsibility of each resident to secure their trash and to prevent solid waste from becoming litter. When a common collection area is designated, each user of the area shall be individually responsible to comply with the provisions of this section.* (Code 1967, § 12-38)

Sec. 66-106. Multifamily housing units.

The town shall provide curbside collection to any multifamily housing units that comply with Sec. 66-105 regarding containers and where curbside or common collection area is accessible as determined by the Director of Public Works. [The town shall not service any multifamily housing unit complex of four residential units or more, unless the town has agreed to service that specific multifamily housing unit.] (Code 1967, § 12-39)

Sec. 66-107. Licensed public events and festivals.

The town *council* shall require the separation of recyclables as a condition of licensing or authorizing public events at which solid waste will be generated [for which the town accepts responsibility for disposal]. With such license the town *council* shall require *the licensee to provide* sufficient [collection bags or boxes for expected recyclables and/or shall provide specially] *appropriately* marked containers to be used for [such] *trash and* recyclables [at certain municipal facilities where such events normally occur]. *The licensee shall be responsible for the proper disposal of all trash and recyclables generated at the event.* (Code 1967, § 12-40)

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Sec. 66-108. Collection by private parties and nonprofit groups; permits.

- (a) Residents may separate recyclables and place them in the same containers at the street line for collection by private nonprofit organizations that have been duly [licensed] *authorized* by the *town* council.
 - (b) The *town* council may issue permits to private parties or charitable organizations to collect recyclable materials on the condition that a report is filed by the party or organization detailing the amount of materials collected so that the director may comply with the reporting requirements, and provided that the director determines that such collection does not defeat the purpose or cost effectiveness of the town's recycling program, nor conflict with the town's local implementation program.
- (Code 1967, § 12-44)

Sec. 66-109. Contracts.

The *town* council is empowered and directed to supervise, facilitate, and contract with either the [state recycling facilities] *Rhode Island Resource Recovery Corporation* as mandated by the General Laws of the state or with commercial firms for the receipt and processing of recyclable materials in a manner consistent with the town's local implementation program that yields the best rate of recycling and the most cost effective result to the town.

(Code 1967, § 12-48)

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